

REMARKS

Claims 1-26 are pending in the present application.

Claims 1, 6, 13, 14 and 26 are amended herein. Claims 1, 13, 14 and 26 are amended to clarify the claimed invention. claim 6 is amended to provide correct antecedent support.

The claims are allowable for the reasons set forth herein. Notice thereof is respectfully requested.

Claim Rejections - 35 USC § 103(a)

Claims 1, 8-14 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PUB 2002/0110701 to Wehrmann et al. in view of US 6,048,616 to Gallagher et al.

Wehrmann is cited as disclosing a method for manufacturing a thin film light emitting diode device. Wehrmann does not disclose ZnS doped with a luminescent center by precipitation from appropriate aqueous solution comprising zinc ions, sulfide ions and dopant ions as admitted by the Office.

Gallagher is cited as disclosing ZnS doped with a luminescent center by precipitation from appropriate aqueous solution comprising zinc ions, sulfide ions, and dopant ions. Applicants respectfully disagree with this position based on the

fact that Gallagher does not disclose the teachings attributed thereto.

In col. 2, lines 15-29, Gallagher specifically teaches that undoped particles are precipitated in water. When organometallic chemistry is employed doping is required. This teaches away from the combination of doping and aqueous precipitation.

Gallagher further teaches the use of a Grignard reagent. It is widely known that Grignard reagents react with water. Gallagher clearly states in col. 3, line 56 to col. 4, line 14 that the reagents include anhydrous toluene, anhydrous tetrahydrofuran and other reagents. This is consistent with the use of Grignard reagents. The Office has argued that this same text discloses precipitation from aqueous solution. Applicants respectfully opine that it is improper to extract teachings of aqueous precipitation from anhydrous organic solvents. This is especially improper based on the teaching that aqueous precipitation is used without doping while organic precipitation is used with doping.

Wehrmann fails to teach aqueous precipitation and Gallagher teaches doping in an anhydrous solution using Grignard reagents

which are incompatible with aqueous solutions. This combination has then been argued to render the present claims obvious under 35 U.S.C. 103(a) in spite of the failure to teach the claimed invention and teachings which lead away from the present teachings. This rejection is improper and removal is respectfully requested.

Regarding claims 8-10 and 21-23, the Office argues that Wehrmann discloses the method wherein the water compatible p-type semiconductive polymer is a polythiophene/polyanion complex or polyethylenedioxythiophene/polyester sulphonate. Claims 8-10 ultimately depend from claim 1 and claims 21-23 ultimately depend from claim 14. Claims 1 and 14 each recite aqueous precipitation which is not taught in Wehrmann and taught against in Gallagher. Claims 8-10 and 21-23 are patentable for, at least, the same reasons as the claims from which they depend.

Regarding claims 11-12 and 24-25, Wehrmann is cited as disclosing the first electrode is an ITO electrode while the second conductive electrode is an aluminum electrode applied by vacuum deposition. Claims 11 and 12 depend from 1 and are patentable for, at least, the same reasons as claim 1. Claims

24 and 25 depend from claim 14 and are patentable for, at least, the same reasons as claim 14.

Claim 13 stands rejected for the same reasons as claim 1. The rejection of claim 13 is improper due to, at least, the recitation of aqueous precipitation.

The rejection of claims 1, 8-14 and 21-26 under 35 U.S.C. 103(a) as being unpatentable over Wehrmann et al. in view of Gallagher et al. is improperly based on recitation which teaches away from the claimed invention. Removal of the rejection is proper and respectfully requested.

Claims 2-7 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PUB 2002/0110701 to Wehrmann et al. and US 6,048,616 to Gallagher et al as discussed in claim 1 and further in view of US 6,379,583 to Gray.

The inapplicability of Wehrmann and Gallagher has been previously addressed and applies herein as well. Incorporating Gray complicates the combined teachings of Wehrmann and Gallagher. If Gray were incorporated the activity of the Grignard reagent of Gallagher would be compromised due to the reaction with water. If an anhydrous solution was incorporated as described in Gallagher the bicontinuous phase of Gray would

be rendered ineffective. If Gallagher was substituted with Gray the claims are not rendered obvious for the reasons set forth in response to the previous action. In summary, the combination of Wehrmann, Gallagher and Gray is improper thereby rendering the rejection inappropriate.

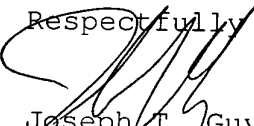
The rejection of claims 2-7 and 15-20 as being unpatentable over Wehrmann and Gallagher and further in view of Gray is improper and removal is respectfully requested.

CONCLUSIONS

Claims 1-26 are pending in the present application. All claims are in condition for allowance. A notice of allowance for claims 1-26 is respectfully requested.

August 20, 2003

Respectfully submitted,


Joseph T. Guy, Ph.D.
Agent for Applicants
Registration Number 35,172
NEXSEN PRUET JACOBS & POLLARD, LLC
P.O. Box 10648
Greenville, SC 29603
Telephone: 864-370-2211
Facsimile: 864-282-1177